

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

**No. CV 12-0312 JH/LAM
CR 09-1766 JH**

ADAM JASON GARCIA,

Defendant/Movant.

ORDER DENYING AS MOOT MOTION TO SUPPLEMENT THE RECORD

THIS MATTER is before the Court on the Government's *Motion to Supplement the Record* (Doc. 8), in which the Government asks the Court to allow it to file a copy of the transcript of the plea hearing in Case No. 09-CR-1766 JH, which is referred to in the Government's response to Defendant/Movant's Section 2255 motion. The Court notes that the transcript was filed in Case No. 09-CR-1766 JH as Document 53 on April 30, 2012. Therefore, the Government's Motion to Supplement the Record will be **DENIED as moot**. However, to ensure that Defendant/Movant has a copy of the transcript, the Court will order the Government to send a copy of the transcript to Defendant/Movant at his current address of record in Case No. 12-CV-312 JCH/LAM.

IT IS THEREFORE ORDERED that the Government's *Motion to Supplement the Record* (Doc. 8) is **DENIED as moot**.

IT IS FURTHER ORDERED that the Government shall send a copy of the plea hearing transcript [Doc. 53, filed in Case No. 09-CR-1176 JH] to Defendant/Movant, **within five (5) days** from entry of this order.

IT IS SO ORDERED.

Lourdes A. Martinez
LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE